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GURNEY'S
SHORT HAND.

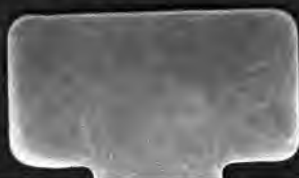
17th Edit.

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THE HISTORY OF
THE CITY OF BOSTON
FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME

By SAMUEL JOHNSON, LL.D.
OF THE UNIVERSITY OF OXFORD.
IN TWO VOLUMES.
LONDON: Printed by J. JOHNSON, in Pall-mall.
MDCCLXXXIII.

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J. Collier sculp.

A
SYSTEM OF SHORTHAND

BY
THOMAS GURNEY,

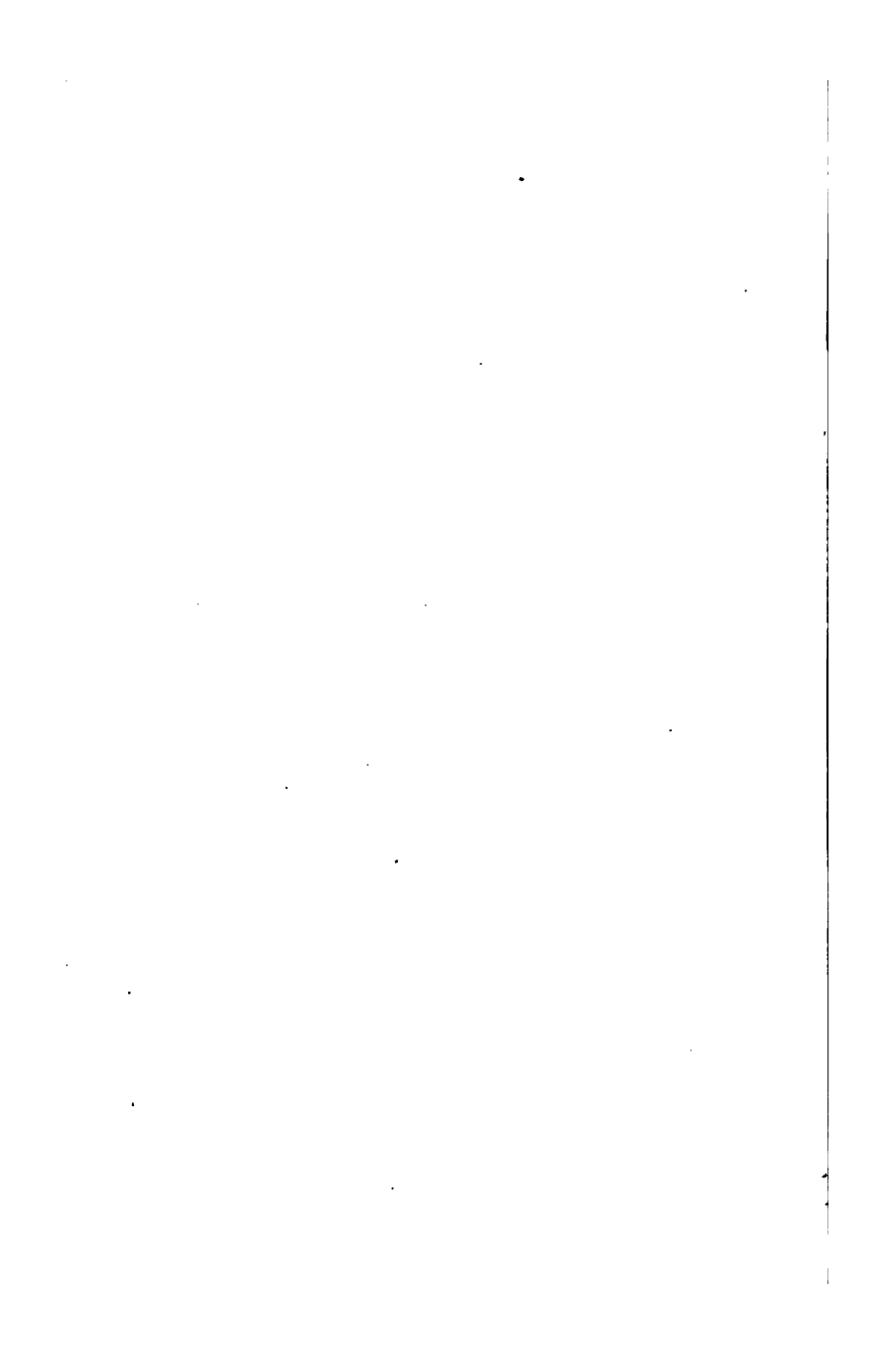
FIRST PUBLISHED IN 1740, AND SUBSEQUENTLY
IMPROVED.

SEVENTEENTH EDITION.



LONDON:
BUTTERWORTHS, 7, FLEET STREET,
Law Publishers to the Queen's most excellent Majesty.
1869.

302. g 75.



P R E F A C E

TO THE SEVENTEENTH EDITION.



IN the present Edition some revisions have been made in the introductory pages, for the sake of greater clearness and conciseness; and it may be well also to take this opportunity of supplying information, which has sometimes been asked for, with respect to the early history of the system. It was first brought into public use in the year 1738, when Mr. Thomas Gurney was appointed Shorthand Writer to the Old Bailey. It was shortly afterwards published by him, and its success in reporting important Trials, combined with its simplicity, caused it to pass through seven editions in about twelve years. Almost all the State Trials which occurred

during the latter half of the last century, including those of Warren Hastings, Lord George Gordon, Hardy, and Horne Tooke, &c., as well as Courts Martial, Prosecutions under the Libel Acts, &c., were reported by Mr. Thomas Gurney, or his son Mr. Joseph Gurney; and on examining the published reports of other Trials of that period, preserved in the British Museum, it is found that there are very few which were not printed from their notes. During the last sixty years, in addition to its continued use for State Trials, &c., its official employment in the Service of the Two Houses of Parliament is well known. It is also the system used by some of the Shorthand Writers in the largest private practice in the Courts of Law.


PREFACE

TO THE FIFTEENTH EDITION.



ALTHOUGH Brachygraphy, or the Art of writing in abbreviated Characters, is extremely ancient, for we read of its being practised in the Roman Senate, by persons whom Cicero instructed and employed for that purpose; yet it was not introduced into our own Country till towards the latter end of the sixteenth century; when, in the year 1588, Dr. Timothy Bright printed a treatise entituled "Characterie, or the Art of short, secret, and swift writing by Characters," which he dedicated to Queen Elizabeth, under whose Letters Patent it was published. This treatise, as might naturally be expected in a first Essay, though the production of a very ingenious man, came many degrees short of the requisite perfection.

From that time down to the present, various methods of Shorthand have appeared. Several of these have a considerable share of merit; but many systems which appear very specious upon





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We have therefore but nine simple distinct marks; namely, a *straight line*, and a *semi-circle*, each in four different directions; and a *circle*. It is obvious that these nine marks should be made to express those consonants which most frequently occur in the shorthand orthography (the vowels being never written but when used to begin a word). The rest of the Alphabet must necessarily consist of compound Characters, formed as distinctly and as simply as possible.

It should, likewise, be noticed, that the same Character being made to express a, s, and z; the a must be struck *upwards*, the s and z *downwards*. As the a is never written singly, the succeeding Character will at once shew which letter is intended to be expressed.

When the letter r does not begin a word, it is expressed by a stroke upwards; there are several specimens of this in the second column of plate (1).

The long s is only to be used at the beginning and end of words. The *circle* is not to be written for s, at the beginning of a word, except when t immediately follows; and never at the end of a word, for it stands for *ing* or *ong*.

When *s* immediately follows *r*, it should be written upwards: thus;  messenger,  messengers.

Plates (1), (2), (3), and (4) contain the whole theory of the Art.

The Alphabet should be got perfectly in memory; also the words which the several letters stand for when written singly. The other column, on plate (1), shews the manner of *joining* the letters, and of *spelling* words; but need not be committed to memory.

In plate (2), the method of expressing the vowels is shewn. Here the *rules* only are to be got in memory; the Shorthand Characters being merely an illustration of the rules.

Although the alphabet and the vowels together would so far constitute a complete system of Shorthand that they would suffice for writing anything in the English Language, something more is needed in order to give the shortness of writing required to keep pace with a rapid speaker. This is supplied by the addition of Arbitrary Characters and Abbreviating Rules.

The *Arbitrary Characters*, on the remainder of plates (2) and (3), should be got in memory ; as should, too, the *Abbreviating Rules*, on plate (4).

The remainder of the plates contain examples of the mode of writing the system, shewing the practical application of the Alphabet, Arbitrary Characters, &c.; and the printed pages which follow give a translation of the foregoing specimens spelt as written in Short hand.

It will be observed that in the spelling of words, no particular regard is had either to the retaining or omitting of vowels ; but such letters only are used as are found to be sufficient, according to their sound, to denote the word in distinction from others. Therefore in many instances more or fewer letters may be used at the discretion of the writer to denote the same word.

If any Arbitrary Character, or Contracting Rule, should not be instantaneously recollected, it will be attended with no other inconvenience than the loss of the advantage arising from the

use of such abbreviation ; as the writer will then be obliged to pen it in the same manner as any other word for which there is no Arbitrary Character.

When a word is meant to be erased, draw two lines through it, thus ~~24~~ If several words are meant to be obliterated, a single line drawn through them all will be sufficient.

With regard to punctuation, which forms so important an element in ordinary writing, it will be obvious that it is inapplicable to Shorthand. It would both impede the writer and tend to confuse the characters. In place of putting stops it is only necessary to leave a short space at the end of each sentence.

Plate (1)

The ALPHABET.		Letters.		Words.
/	a.	aste	st	assault
1	b. be, but	bryn	n	bargain
c	c. k. see	cupr	z	compare
\	d. did	doplr	dg	displeasure
✓	e. he	consl	ge	essential
γ	f. if	ptru	n	fortune
f	g. God, good	gmr	h	grammar
L	h. have	idstrn	4h	illustration
✓	i. Jesus, high	kndns	h	kindness
u	l. Lord, Lordship	lmntn	h	lamentation
o	m. him, am	msngr	st	messenger
—	n. in	nmlr	h	number
L	o. how	ocsn	te	occasion
h	p. people	plnt	h	pleasant
q	q. question	qlfctn	q	qualification
r	r. are, her, here	rden	re	reduction
/	s. z. is, his	spnstr	he	spinster
o	s. ing, ong	stpfctn	h	shapeliness
	t. it	trdn	h	tenderness
L	u. you	unpnsn	h	unpension
^	v. which	vn	h	vision
x	x. Christ	wdm	h	wisdom
—	y. wi, why, ye	xtm	h	extreme
e	z. see.	ypgr	h	younger.

Plate (2)

Of the Vowels.

There are six vowels Viz. *a. e. i. o. u. y.* When they end Words, they are expressed by dots differently placed. Viz. *a* and *e* even with the top of the Letter, *i* and *y* with the middle, and *o* & *u* with the bottom, as for example, | *ʼ* | *bu, be.* | *ʼ* | *bi, by.* | *ʼ* | *bo, bu.*

When the Vowel does not end the Word it is expressed by the succeeding Consonant ~

thus, | *ʼ* | *sol, sel* | *ʼ* | *sil, syl.* | *ʼ* | *sol, sul.*

When two Vowels come together, the first must be expressed by a dot, the other by *y* succeeding consonant.

thus, | *ʼ* | *poet* | *ʼ* | *tyon* | *ʼ* | *kind*

Arbitrary Characters.

<i>a</i> administrator-tion.	<i>l</i> legislator-ture-tive-tion.
<i>a</i> accord-ing-ly.	<i>m</i> multitude-ply-ation.
<i>b</i> bankrupt-cy.	<i>n</i> notwithstanding.
<i>c</i> circum-stance-es.	<i>o</i> origin-ate-nal-nally.
<i>d</i> demonstrate-tion.	<i>o</i> ord-order-ing.
<i>d</i> evident-ly-evidence.	<i>p</i> precedent-cy-president.
<i>e</i> establish-ed-ment.	<i>r</i> represent-at-ation-tion.
<i>E</i> ecclesiastio-al.	<i>f</i> statute-spirit-ed-ual.
<i>f</i> fraud-ulent-ulency.	<i>t</i> traspas-transport-ation.
<i>g</i> govern-ing-ment.	<i>u</i> unkon-sul-ly-nep.
<i>h</i> hereditary-aments.	<i>u</i> witness-ed-ing.
<i>i</i> justify-ing-able-ation.	<i>x</i> extraordinary-ly.

Arbitrary Characters for Prepositions and Terminations &c.

t	pat-ot-observe	5	may	!	below
	ance-ation	7	been	1	behind
—	able-ible	7	doth	(covetous
o	ch- such		the-ther-they	1	foundation
o	chr-church		thy-of	1	and-hand
o	— charge	(consequence)	magnify
↑	sh-she	7	particular-by	=	even-heaven
t	sal-sub-subject	7	could	7	ought
7	th-that-thed	7	I	7	between
d	ver-ever	d	it is	7	between
~	wt-will	d	it is not	@	about
~	would	p	is it	↑	advance-tage
l	ward-word	:	to the	~	plaintiff
^	wd-wid	:	and the	7	defendant
^	with	:	by the	o	the World
7	thou	7	shall-should	o	this World
7	after	<	said-fide	o	the other World
7	had-hath	7	not	o	from one end of
7	might	7	above		the World to the other

Plate (4)

Abbreviating Rules.

1. A dot above any Word to the left is a, an, and,
as for instance, *a* Man, *an* offering & and he said
2. A dot above any Word to the right is ity, —
pretty & prosperity & morality
3. A dot under any Word is down, —
come down & sit down & lie down.
4. For Understood or Understand make a long stroke
under the foregoing Word; thus, *he understood*
I understand & *their understanding*
5. A touch behind any letter is ck or et drawn
through it is xn, turned down it is tive, as for instance
an attack & *instruct* & *affliction* & *afflictive*.
6. A stroke over any Word is upon, or upon the.
upon London & upon the People.
7. Make a short stroke under a Word that is repeated
holy, holy, holy, alafs, alafs, Moses, Moses.
8. One thing contrary to another is expressed by a
semicircle; thus.
life & death rich & poor black & white
9. The Article the, and the preposition of, may be
omitted, when they occur between two substantives, as
for instance, *word of the Lord* & *Justice of the peace*
King of England
10. For the termination ment write only m, thus,
agreement & encouragement & commandment
presentment
11. A Repetition is expressed by a long line inclined
to the right; thus,
whatsoever things are true,
whatsoever things are honest, whatsoever things
are just, whatsoever things are pure, &c. *Phillip. Chap. IV. 8.*

-ፈጣሪ፡=፡፡ 2 ፡፡ ጥንታዊ ሕግ ጥንታዊ ፡፡ 3 ፡፡ ረዳሳህ ሕግ ሕግ ፡፡ 4 ፡፡ ሕግ ሕግ ፡፡ 5 ፡፡ ሕግ ሕግ ፡፡ 6 ፡፡ ሕግ ሕግ ፡፡ 7 ፡፡ ሕግ ሕግ ፡፡ 8 ፡፡ ሕግ ሕግ ፡፡ 9 ፡፡ ሕግ ሕግ ፡፡ 10 ፡፡ ሕግ ሕግ ፡፡ 11 ፡፡ ሕግ ሕግ ፡፡ 12 ፡፡ ሕግ ሕግ ፡፡ 13 ፡፡ ሕግ ሕግ ፡፡ 14 ፡፡ ሕግ ሕግ ፡፡ 15 ፡፡ ሕግ ሕግ ፡፡ 16 ፡፡ ሕግ ሕግ ፡፡ 17 ፡፡ ሕግ ሕግ ፡፡ 18 ፡፡ ሕግ ሕግ ፡፡ 19 ፡፡ ሕግ ሕግ ፡፡ 20 ፡፡ ሕግ ሕግ ፡፡ 21 ፡፡ ሕግ ሕግ ፡፡ 22 ፡፡ ሕግ ሕግ ፡፡ 23 ፡፡ ሕግ ሕግ ፡፡ 24 ፡፡ ሕግ ሕግ ፡፡ 25 ፡፡ ሕግ ሕግ ፡፡ 26 ፡፡ ሕግ ሕግ ፡፡ 27 ፡፡ ሕግ ሕግ ፡፡ 28 ፡፡ ሕግ ሕግ ፡፡ 29 ፡፡ ሕግ ሕግ ፡፡ 30 ፡፡ ሕግ ሕግ ፡፡ 31 ፡፡ ሕግ ሕግ ፡፡

[illegible]
$$\begin{aligned} \angle \text{PQR} &= 110^\circ, \angle \text{QPR} = 40^\circ, \angle \text{R} = 30^\circ \\ \angle \text{PQR} &= 110^\circ, \angle \text{QPR} = 40^\circ, \angle \text{R} = 30^\circ \end{aligned}$$

The ACTS of the APOSTLES Chap. XXVI.

— 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32.

PSALM XCIII.

1. 2. 3. 4. 5.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24.

[illegible]

1. የፍትሕ ፍርድ ቤት ስርዓት ማረጋገጥ
 2. የሰው ግብዓት ማረጋገጥ
 3. የሥነ ምግባር ማረጋገጥ
 4. የሥነ ምግባር ማረጋገጥ
 5. የሥነ ምግባር ማረጋገጥ
 6. የሥነ ምግባር ማረጋገጥ
 7. የሥነ ምግባር ማረጋገጥ
 8. የሥነ ምግባር ማረጋገጥ
 9. የሥነ ምግባር ማረጋገጥ
 10. የሥነ ምግባር ማረጋገጥ

PSALM, XXXI.

1. ... 2. ... 3. ... 4. ... 5. ... 6. ... 7. ... 8. ... 9. ... 10. ... 11. ... 12. ... 13. ... 14. ... 15. ... 16. ... 17. ... 18. ... 19. ... 20. ... 21. ... 22. ... 23. ... 24. ...

The Epistle of ST PAUL to PHILEMON.

1. ... 2. ... 3. ... 4. ... 5. ... 6. ... 7. ... 8. ... 9. ... 10. ... 11. ... 12. ... 13. ... 14. ... 15. ... 16. ... 17. ... 18. ... 19. ... 20. ... 21. ... 22. ... 23. ... 24. ... 25. ...

His MAJESTYS first Speech to both Houses of Parliament.

1. 4. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

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The Hon. Mr. Justice Blackstone's Commentaries Vol. 4, Chap. 18.

GENESIS,

CHAPTER THE FIRST.

Spelt as written in the Short-hand, Plate(5).

(The Words and Parts of Words printed in Italics, in the following Specimens, are written by some Contraction or Arbitrary Character, given in the first four Plates. The Characters for the Vowels are never written but when they begin Words; in any other case, they are expressed according to the Rules in Plate (2).)

IN the bgning God cratd the Heaven and the rth.

2. *And the rth ws withot frm and vod, and drkns ws upon the fas of the dep: and the Spirit of God movd upon the fas of the wtrs.*

3. *And God said, lt thr be lit: and thr ws lit.*

4. *And God saw the lit, that it ws good; and God dvided the lit frm the drkns.*

5. *And God cld the lit da, and the drkns he cld nit: and the evening and the mrning wr the frst da.*

6. *And God said, lt thr be a frmament in the mdst of the wtrs, and lt it dvid the wtrs frm the wtrs.*

7. *And God md the frmament, and dvided the wtrs which wr undr the frmament, frm the wtrs which wr above the frmament: and it ws so.*

8. *And God cld the frmament Heaven: and the evening and the mrning wr the second da.*

9. *And God said, lt the wtrs undr the Heaven be gthrd tgthr unto on pls, and lt the dry land apr, and it ws so.*

10. *And God cld the dry land rth, and the gthring tgthr of the wtrs cld he ses: and God saw that it ws good.*

11. *And God said, lt the rth bring frth grs, the erb ylding sd, and the frt tre ylding frt after his knđ, wos sd is in itslf upon the rth: and it ws so.*

12. *And the rth brt frth grs, and erb ylding sd after his knđ, and the tre ylding frt, wos sd ws in itslf, after his knđ: and God saw that it ws good.*

13. *And the evening and the mrning wr the third da.*

14. *And God said, lt thr be lits in the frmament of the Heaven, to dvid the da frm the nit: and lt thm be fr sins and fr ssns, and fr das, and yrs.*

15. *And lt thm be fr lits in the frmament of the Heaven, to gy lit upon the rth: and it ws so.*

16. *And God md two grt lits: the grtr lit to rul the da, and the lsr lit to rul the night: he md the strs also.*

17. *And God st thm in the frmament of the Heaven, to gy lit upon the rth.*

18. *And to rul over the da and over the nit, and to dvid the lit frm the drkns: and God saw that it ws good.*

19. *And the evening and the mornng wr the fourth da.*

20. *And God said, lt the wtrs bring frth abndntly the mving crtr that hath lf, and fwl that ma fly above the rth, in the opn frmament of Heaven.*

21. *And God cratd grt wals, and every lving crtr that movth, which the wtrs brt frth abndntly after thr knd, and every wingd fwl after his knd: and God saw that it ws good.*

22. *And God blsd thm, saing, be frtfl, and mltply, and fl the wtrs in the ses, and lt fwl mltply in the rth.*

23. *And the evening and the mornng wr the fifth da.*

24. *And God said, lt the rth bring frth the lving crtr after his knd, ctl and crping thing and bst of the rth after his knd: and it ws so.*

25. *And God md the bst of the rth after his knd, and ctl after thr knd, and every thing that crpeth upon the rth after his knd: and God saw that it ws good.*

26. *And God said, lt us mk mn in or imag, after or lkns, and lt thm have dmnon over the fsh of the se, and over the fwl of the ar, and over the ctl, and over al the rth, and over every crping thing that crpeth upon the rth.*

27. *So God cratd mn in his on imag, in the imag of God cratd he him: mal and femal cratd he thm.*

28. *And God blsd thm, and God said unto thm, be frtfl, and mltply, and rplnsh the rth, and subdu it,*

and have dmnon over the fsh of the se, and over the fwl of the ar, and over every lving thing that movth upon the rth.

29. *And God said, beold, I have gvn you every erb baring sd, which is upon the fas of al the rth, and every tre, in the which is the frt of a tre ylding sd: to you it shall be fr mt.*

30. *And to every bst of the rth, and to every fwl of the ar, and to every thing that crpth upon the rth, wrin thr is lf, I have gvn every grn erb fr mt: and it ws so.*

31. *And God saw every thing that he had md, and beold, it ws very good; and the evening and the mrning wr the sixth da.*



THE APOSTLES' CREED.

Spelt as written in the Short-hand, Plate (5).

I BLEV in God the Fathr Almity, mkr of Heaven and rth: and in Jesus Christ his only sn or Lord; wo ws cnsvd by the oly gst, brn of the vrgn mry, sfred undr Pntus Pilat, ws crsfid, ded, and bred, he dsnded into el, the third da he ros agn frm the ded, he asnded into Heaven, and steth on the rit hand of God the Fathr Almity; frm thns he shall cm to jug the qik and the ded. I blev in the oly gst; the oly

*cathlic church ; the cmnon of snts ; the frgvns of sns ;
the rsrxn of the bdy, and the lf everlstng. Amn.*

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## THE LORD'S PRAYER.

Spelt as written in the Short-hand, Plate (5).

*OR Fathr which rt in Heaven ; alod be thy nm.  
Thy Kingdm cm. Thy will be dn on rth, as it is in  
Heaven. Gv us ths da or daly brd. And frgv us  
or trespasses, as we frgv thm that trespass agnst us.  
And ld us not into tmtn, but dlver us from evl, fr  
thin is the Kingdm, and the powr, and the glry, fr  
ever and ever. Amn.*

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THE ACTS OF THE APOSTLES,

CHAPTER THE TWENTY-SIXTH.

Spelt as written in the Short-hand, Plate (6).

*THN Agrpa said unto Pal, tho rt prmtd to spk fr
thyslf. Thn Pal strchd frth the hand, and ansrd fr
himslf.*

2. *I thnk myslf apy king Agrpa, bcs I shall ansr
fr myslf ths da bfr thee tuchng al the things wrof I
am acsd of the Jus :*

3. *Epsly, bcs I no thee to be xpirt in all cstms*

and questions which are among the Jus: wrfr I bsch thee to er me psntly.

4. *My mnrf of lf frm my youth, which ws at the frst among min on nsn at Jrslm, no al the Jus;*

5. *Which nu me frm the bgning, if they would tstfy, that after the mst stratst set of or rlgm, I livd a frse.*

6. *And now I stand and am jugd fr the op of the prms md of God unto or fathrs:*

7. *Unto which prms or twelve trbs, instntly srvng God da and night, op to cm; fr which op sk, king Agrpa, I am acsd of the Jus.*

8. *Wy should it be thot a thing incrdible with you, that God should ras the ded?*

9. *I verly thot with myslf, that I ot to do mny things cntry to the nm of Jesus of Nsrth.*

10. *Which thing I also did in Jrslm: and mny of the snts did I'shut up in prsn; having rsvd athrity frm the chf prsts, and wn they wr pt to deth, I gav my vose agnst thm.*

11. *And I pnshd thm oft in every sngog, and cmpld thm to blsfm, and being xcdingly md agnst thm, I prctd thm even unto strng ctis.*

12. *Wrupn as I wnt to Dmscs with athrity and cmn frn the chf prsts,*

13. *At mid da, O King, I saw in the wa a lit frm Heaven, above the brtns of the sn, shning rnd about me, and thm which jrnd with me.*

14. *And wñ we wr al flñ to the rth, I rd a vose spking unto me, and saing in the ebru tng, sal, saul, wy prsetst tho me? it is rd fr thee to kik agnst the prks.*

15. *And I said wo rt tho Lord? and he said I am Jesus, wñ tho prsetst.*

16. *But ris, and stand upon thy fet; fr I have aprd unto thee fr ths prps, to mk thee a mnstr and a witness both of ths things which tho hst sen, and of ths things in the which I will apr unto thee;*

17. *Dlvering thee frm the people and frm the Gntls, unto wñ now I snd thee.*

18. *To opn thr eyes, and to trñ thm from drkns to lit, and frm the powr of Stñ unto God, that they mæ rsv frgvns of sns, and inritns among thm which are sntcfid by fath that is in me.*

19. *Wrupn, O King Agrpa, I ws not dsbdnt unto the heavenly vsn.*

20. *But shod frst unto thm of Dmscus, and at Jrslm, and throt al the csts of Judea, and thñ to the Gntls, that they should rpnt and trñ to God, and do wrks mt fr rpntns.*

21. *Fr ths css the Jus cat me in the Tmpl, and wnt about to kl me.*

22. *Having thrfr obtnd lp of God, I cntnu unto ths da, witnessing both to smñ and great, saing non othr things thñ ths which the prfts and mses did as should cm :*

23. *That Christ should sfr, and that he should be the frst that should rs frm the ded, and should shu lit unto the people, and to the Gntls.*

24. *And as he ths spk fr himslf, Fstus said with a lod vose, Pal, tho rt bsd thyslf; mch lring dth mk thee md.*

25. *But he said I am not md, mst nbl Fstus; but spk frth the words of trth and sobrn.*

26. *Fr the King noeth of ths things, bfr wm also I spk frly: fr I am perswded that non of ths things are hidn frm him; fr ths thing ws not dn in a crnr.*

27. *King Agrpa, blevst tho the prfts? I no that tho blevst.*

28. *Thn Agrpa said unto Pal, almst tho perswdst me to be a Christn.*

29. *And Pal said, I would to God that not only tho, but also al that er me ths da, wr both almst, and altgthr sch as I am, xcpt ths bnds.*

30. *And wn he had ths spkn, the King ros up, and the Governr, and Brnis, and they that st with thm.*

31. *And wn they wr gon aside, they tlkd between thmslvs, saing ths mn doth nthng wrthy of deth or of bnds.*

32. *Thn said Agrpa unto Fstus, ths mn might have been st at lbrty, if he had not apeld unto Csr.*

PSALM XCIII.

Spelt as written in the Short-hand, Plate (6).

THE Lord raneth he is clthd with mgsty, the Lord is clthd with strnth wrwith he hath grded himslf: the world also is stblshd, that it cannot be movd.

2. *Thy thrn is established of old, tho rt frm ever-
lasting.*

3. *The fids have lftd up, O Lord, the floods have
lifted up thr vos: the fids lft up thr wavs.*

4. *The Lord on high is mityr thn the nos of mny
wrtrs, ya, thn the mity wavs of the se.*

5. *Thy tstmnis are very sr; olins bcmth thin os,
O Lord, fr ever.*



PSALM XXXI.

Written as spelt in the Short-hand, Plate (7).

*IN thee O Lord do I pt my trst, lt me never be ashmd :
dlver me in thy rtsns.*

2. *Bow down thin er to me, dlver me spdly: be
tho my strong rok, fr a os of dfns to sav me.*

3. *Fr tho rt my rok and my frtrs: thrfr fr thy nms sk, led me, and gid me.*

4. *Pul me ot of the net that they have lad privly fr me: fr tho rt my strnth.*

5. *Into thin hand I emit my spirit: tho hst rdmd me O Lord God of trth.*

6. *I have ated thm that rgrd lying vnitys: but I trst in the Lord.*

7. *I will be gld, and rjos in thy mrcy: fr tho hst cnsdrd my trbl; tho hst non my sol in adversitys;*

8. *And hst not shut me up into the hand of the inmy; tho hst st my fet in a lrg rom.*

9. *Have mrcy upon me, O Lord, fr I am in trbl: min eye is cnsmd with grf, ya, my sol and my bly.*

10. *Fr my lf is spnt with grf, and my yrs with sying; my strnth falh, bes of min inqity, and my bons are cnsmd.*

11. *I ws a rprch among all min inmis, but espaly among my nabrs, and a fr to min aqntns, they that did see me withot fld frm me.*

12. *I am frgtn as a ded mn ot of mnd, I am lk a brkn vsl.*

13. *Fr I have rd the slndr of mny, fer was on every side, wil they tk cnsl tgthr agnst me, they dved to tk awa my lf.*

14. *But I trstd in thee O Lord, I said tho rt my God.*

15. My tms are in thy hand, dlvcr me frm the hand of min inmis and frm thm that prsct me.

16. Mk thy fas to shin upon thy srvnt, sav me fr thy mrcs sk.

17. Lt me not be ashmd O Lord fr I have cld upon thee, lt the wkld be ashmd, and lt thm be silnt in the grav.

18. Lt the lying lps be pt to silns which spek grevs things, prodly and cntmsly agnst the ritus.

19. O how grt is thy goodns, which tho hst lad up fr thm that fr thee, which tho hst rot fr thm that trst in thee, bfr the sns of mn.

20. Tho shalt hid thm in the scrt of thy prsns frm the prid of mn, thou shalt kp thm scrtly in a pavln frm the strf of tngs.

21. Blsd be the Lord; fr he hath shod me his mrvlos kndns in a strong cty.

22. Fr I said in my hst, I am et off frm bfr thin eyes: neverls tho rdst the vos of my suplcnsns wn I crid unto thee.

23. O lov the Lord, al ye his snts: fr the Lord prsrvth the fathfl, and plntly rwardeth the prod doer.

24. Be of good crag, and he shall strnthn your rt, al ye that op in the Lord.

THE EPISTLE
OF
ST. PAUL TO PHILEMON.

Spelt as written in the Short-hand, Plate (7).

PAL a prsnr of *Jesus Christ*, and Timthy or brthr unto Flemn or drly blovd, and flo labrr,

2. And to or blovd Apia, and Rstipus or flo sldr, and to the church in thy os :

3. Grs to you, and pes frm *God* or Fathr, and the *Lord Jesus Christ*.

4. I think my *God* mking mnsn of thee alwas in my prrs.

5. Ering of thy lov and fath, which tho hst toward the *Lord Jesus*, and toward al snts ;

6. That the cmncsn of thy fath ma bcm efctl by the aknlging of every good thing, which is in you in *Christ Jesus*.

7. Fr we have grt joy and cnsln in thy lov, bcs the boels of the snts are refrshd by thee, brthr.

8. Wrfr tho I might be mch bld in *Christ*, to injon thee that which is cnvnnt,

9. Yt fr lovs sk I rthr bsch thee, being such a on as Pal the aged, and now also a prsnr of *Jesus Christ*.

10. *I besch thee fr my sn Onesms, wim I have bgtn in my bnds:*

11. *Which in tms pst ws to thee unprftable, but now prftable to thee, and to me.*

12. *Wim I have snt agn: tho thrfr rsv him that is min on boels.*

13. *Wim I would have rtnd with me, that in thy sted he might have mnstrd unto me in the bnds of the gspl.*

14. *But withot thy mnd would I do nthing; that thy bnfit should not be as it wr of nssity, but willingly.*

15. *Fr praps he thrfr dprtd fr a ssn, that tho shouldst rsv him fr ever.*

16. *Not now as a srvnt, but above a srvnt, a brthr blodv; spely to me, but how mch mr unto thee both in the fsh, and in the Lord?*

17. *If tho cnt me thrfr a prtnr, rsv him as myslf.*

18. *If he hath rongd thee, or oeth thee ot, pt that on min acnt.*

19. *I Pal have rtn it with min on hand, I will rpa it: albet I do not sa to thee how tho ost unto me even thin on slf bsds.*

20. *Ya, brthr, lt me have joy of thee in the Lord: frfrsh my boels in the Lord.*

21. *Having confidns in thy obedns, I rot unto thee, noing that tho wlt also do mr thn I sa.*

22. *But withal prpr me also a loging; fr I trst that thro your prrs I shall be gvn unto you.*

30 *His Majesty's Most Gracious Speech, &c.*

23. *Thr salut thee, Epafrs, my flo prsnr in Christ Jesus.*

24. *Mrkus, Arstkus, Demas, Lucas, my flo lbrrs.*

25. *The grs of or Lord Jesus Christ be with your spirit. Amn.*



HIS MAJESTY'S MOST GRACIOUS SPEECH

TO

BOTH HOUSES OF PARLIAMENT,

On Tuesday, the Eighteenth Day of November, 1760.

Spelt as written in the Short-hand, Plate (8).

My Lords and Gntlmn,

THE jst cnsm, *which I have fit in my on brst, on the sdn deth of the lat King, my ryl grandfathr, mks me not dot, but you mst al have been dply afctd with so sver a los. The prsnt crtckl and dfcklt jnctr as md ths los the mr snsible, as he ws the grt sprt of*

that sstm, by which alon the lbrts of urop and the wat, and inflns of ths kingdms, cn be prsrvd ; and gav lf to msrs endsv to ths mprtn nds.

I ned not tel you the adsn of wat which imdtly fls upon me, being eld to the government of ths fre and powrfl entry at sch a tm, and undr such circumstances. My cnslsn is in the uprtns of my on intnsns, your fathfl and unitd asstns, and the blsing of Heaven upon or jint indvers, which I dvtly mplr.

Brn and edctd in ths entry, I glry in the nm of Brtn ; and the pelr apns of my lf will ever cnstt in prmtng the wlfr of a people wos lilty and wrm afcn to me I cnsdr as the grtst and mst prmannt scrity of my thrn : and I dot not but thr stdns in ths prnspls will eql the frmns of my inverable rlsn to adr to, and strnthn, ths xlnst cnstsn in church and stat ; and to mnntn the thrsn invilable. The sivil and rlgs rits of my lving subjects are eqly dr to me with the mst vlable prrgtives of my crn : and, as the srst foundation of the wol, and the bst mns to dra down the dvn fver on my ran, it is my fxd prps to cntnns and incrag the prcts of tru rlgm and virtu.

I rflct, with plsr, on the succses with which the Brtsh rms have been prsprd ths lst smr. The totl rdzn of the vst prvns of Cnada, with the cty of Mntrl, is of the mst intrstng consequence, and mst be as evy a blo to my inmis, as it is a cnqst glrs to us ; the mr glrs, bcs efctd almst withot efsn of bld, and with that

umnsity, which mks an amable prt of the crctr of ths nsn.

Or advantages gand in the Est Indes have been sgnl; and mst grtly dmns the strnth and trad of Frns in ths prts, as wl as prcr the mst slid bnfits to the cmrs and wlth of my subjects.

In Grmny, wr the wol Frnch frs as been mpled, the cmbnd rmy, undr the wis and able endct of my Gnrl, Prns Frdnd of Brnswk, as not nly stpd thr prgrs, but as gnd advantages over thm notwithstanding thr bstd sprrity, and thr not having ithrto cm to a gurl ingagment.

My good brthr and aly, the King of Prsa altho srnded with nmrs rmis of inmis, as, with a magnanmity and prsverbs alms bynd xmpl, not only withstod thr verios atcks, but as obtnd very cnsdrable vctrs over thm.

Of ths evnts I shall sa no mr at ths tm, bcs the ntr of the wr in ths prts as kpt the cmpan thr stl dpnding.

As my navy is the prnspl rtchl of or ntrl strnth, it gvs me mch stsfcn to rsv it in sch good endsn; wlst the flt of Frns is wknd to sch a dgree, that the sml rmns of it have cntnud blkd up by my shps in thr on prts; at the sm tm the Frnch trad is rdcd to the loest eb; and with joy of rt I see the cmrs of my kingdms, that grt srs of or rchs, and fxd objet of my nver faling cr and prtzn, flrshing to an xtnt unnon in ny frmr ran.

The valr and intrpdity of my ofrs and frss, both at se and land, have been dstngshd so mch to the glry of ths nsn, that I should be wnting in jsts to thm, if I did not aknlg it. Ths is a mrit which I shall cnstntly incrag and rward; and I tk ths ocsn to dclr, that the zls and usfl srvs of the mlsa, in the prsnt arduus conjnctr, is very acptable to me.

In ths stat I have fnd things at my acssn to the thrn of my ancsrs; apy, in vuing the prsprs prt of it: apyr stl should I have been, had I fnd my kingdms, wos tru intrst I have intrly at rt, in fl pes: but, sns the ambsn, injrus incrchments, and dngrs dsns of my inmis, rndrd the wr both jst and nssry, and the gnrs overtr, md lst wntr, towards a cngrs fr a psfcsn, as not yt prdsd ny sutable rtn, I am dtrmnd, with your chrfl and prfl asstns, to prsct ths wr with vgr, in order to that dsrable objct, a saf, and onrable pes. Fr ths prps, it is absltly incmbnt upon us to be erly prprd; and I rly upon your zel and rty cnerns to sprt the King of Prsa, and the rst of my alis, and to mk ampl provsn fr crying on the wr, as the only mns to bring or inmis to equitable trms of acmdsn.

Gntlmn of the os of cmns,

The grtst unesns which I fel at ths tm, is in cnsdring the uncmn brdns, nssrly brot upon my fathfl subjects. I dsr only sch splis as shall be rqst to

*prset the wr with advantage ; be adquat to the nssry
srvss ; and that they ma be provided fr in the mst sr
and efctl mnrr. You ma dpnd upon the fathfl and
puctl aplcsn of wt shall be grntd. I have ordered
the prpr estmts fr the insuing yr to be lad bfr you ;
and also an acnt of the extraordinary xpns, which
frm the ntr of the dfrnt and rmt oprsns, have been
unavdably incrd.*

*It is with pelr rlcns, that I am obligd, at sch a
tm, to mnsn ny thing which prsnly rgrds myslf: but,
as the grnt of the grtst prt of the sivr lst rvnus is
now dtrmnd, I trst in your dty and afxn to me, to
mk the prpr prvsn fr sprting my sivr government
with onr and dgnity. On my prt, you ma be asrd
of a rglr and bcming ocnmy.*

My Lords and Gntlmn,

*The eyes of al urop are upon you. Frm your rslns
the prtstnt intrst ops fr ptrxn, as wl as al or frnds fr
the prsrvsn of thr indpndnsy ; and or inmis fr the
finl dsapntment of thr ambss and dstrective vus. Lt
ths ops and frs be cnfrmd and agmented by the vgr,
unnmity, and dspch of your prsdings.*

*In ths xpctsn I am the mr incrgd by a plsing cir-
cumstance, which I lk upon as on of the mst aspss
omns of my ran. That apy xtzn of dvnns, and that
unon and good armny which cntnu to prvl amongst*

His Majesty's Most Gracious Speech, &c. 35

my subjects, aford me the mst agrable prspct. The ntrl dspssn and wsh of my rt are, to sement and prmot thm; and I prms myslf, that nthing will aris on your prt, to intrupt or dstrb a stusn so esnsl to the tru and lsting flsity of ths grt people.

HIS MAJESTY'S PROCLAMATION

*For the Encouragement of Piety and Virtue,
and for the preventing and punishing of Vice,
Prophaneness, and Immorality.*

Spelt as written in the Short-hand, Plate (9).

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WE, mst srsly and rlgly cnsdring that it is an  
indspnsable dty on us to be crfl, above al othr  
things, to prsrv and advance the onr and srvs of  
Almity God, and to discrag and suprs al vis, prfnns,  
dbchry, and imrlity, which are so highly dsplsg to  
God, so grt a rprch to or rlgm and government, and  
(by mns of the frqnt il xmpls of the prctss throf) have

so fatl *a tndnsy to the crupsn of mny of or loving subjects othrws rlgslly and virltly dspd, and which (if not tmly rmded) ma jstly dra down the dvn vngns on us and or kingdms; we also umbly aknlging, that we cannot xpct the blsing and goodns of Almyty God (by wim kings ran, and on which we intrly rly) to mk or ran apy and prsprs to orself and to or people, withot a rlg obsrvns of Gods oly laws: to the intnt thrfr that rlg, piity, and good mnrs, ma according to or mst rty dsr, flrsh and incrs undr or administration and government, we have thot fit, by the advs of or prvy cnsl, to isu ths or ryl prelmsn, and do erby delr or prps and rslsn to dscentnns and pnsh al mn of vis, profnns, and imrlity, in al prsns of wtsever dgre or qlity within ths or rlm, and particularly in sch as are mplod nr or ryl prsn; and that fr the incrgment of rlg and mrlity, we will upon all ocsns, distngsh prsns of piity and virtue by mrks of or ryl fver. And we do xpct and rqr that al prsns of onr or in plss of athrity, will gv good xmpl by thr on virtu and piity, and to thr utmst, cntrbt to the dscentnsing prsns of dslut and dbchd livs, that they being rdsd by that mns to shm and cntmt fr thr los and evl axns and baver, ma be thrby also infrsd the snr to rfrm thr il abits and prtss, and that the vsable dsplsr of good mn towards thm ma (as fr as it is psable) sply wt the laws (probably) cannot altgthr*

prvnt. *And we do erby strctly injon and pribit al or loving subjects, of wt dgre or qlity soever, frm plaing on the Lords da, at dis, crds, or ny othr gam wtever, ithr in pblk or prvt oss, or othr pls or plss, wtsever; and we do ereby rqr and cmand thm, and every of thm, dsntly and rverntly to atnd the wrshp of God on every Lords da, on pan of or highst dsples, and of being prosded agnst with the utmst rgr that ma be by law. And, fr the mr efctl rfrmng al sch prsns wo, by rsn of thr dslut livs and cnverssns, are a sendl to or kingdm, or fithr pls is, and we do ereby strctly charge and cmand al or Jugs, Mars, Shrfs, Jstss of the Pes, and al othr or ofrs and mnstis, bth ecclesiastical and sivil, and al othr or subjects, wim it ma cnstrn, to be very vglnt and strct in the dscovery, and the efctl prscsn und pnshment, of al prsns, wo shall be glty of xcstv drnking, blsfmy, prfn swring and crsing, ludns, prfnnsn of the Lords da, or othr dslut, imrl or dsrdly pretss; and that they tk cr also efctly to sprs al pblk gaming oss and plss, and othr lud and dsrdrly oss, and to pt in xcsn the statute md in the twenty-ninth yr of the ran of the lat King Chrls the Second, intitld, an act fr the betr observance of the Lords da, cmnly eld Snda; and also an act of prliment, md in the ninth yr of the ran of the lat King Wlm the Third, intitld, an act fr the mr efctl suprsn of blsfmy and prfnns; and al*

*othr laws now in frs fr the pnshing and suprsing ny of the viss afsaid: and also to supr and prvnt al gaming wtsever in pblk or prvt oss on the Lords da; and lkws that they tk efctl cr to prvnt al prsns kping tverns, chclt oss, cfe oss, or othr pblk oss wtsever, frm seling win, chclt, cfe, al, br, or othr lqrs, or rsving or prmtng gsts to be or rman in sch thr oss, in the tm of dvn srvs on the Lords da, as they will ansr it to almyty God, and upon pan of or highst dsplsr. And fr the mr efctl prsding herein we do hereby drct and cmand, al or Jujs of asiss and Jstss of the pes, to gv strct charges at thr rspctive asiss and ssns, fr the du prscsn and pnshment of al prsns that shall prsm to ofnd in ny of the knnds afsaid, and also of al prsns that, contrry to thr dty, shall be rems or nglnt in pting the laws in xcsn; and that they do, at thr rspctive asiss and qrtr ssns of the pes, cs ths or ryl prelmns to be pbckly rd in opn crt imdtly bfr the charge is gvn. And we do hereby frthr charge and cmand every mnstr, in his rspctive prsh church or chpl, to rd, or cs to be rd, ths or prelmns, at lst four tms in every yr, imdtly after dvn srvs and to insit and str up thr rspctive aditrs to the prcts of piety and vertu, and the avoding of al imrlity and prfnns. And to the nd that al vis and dbchry ma be prvntd, and rlgn and vertu prctsd by al ofrs, prvat sldrs, mnrns, and othrs, wo are mpled in or*

srvs by se or land, we do hereby strctly charge and cmand al or cmandrs and ofrs, wtsever, that they do tk cr to ayod al prfnns, dbchry, and othr imrlitys, and that by thr on good and vertus livs and cnverssns, they do st good xmpls to al sch as are undr thr cr and athrity, and lkws tk cr of, and inspct, the baver of al sch as are undr thm, and pnsh al ths wo shall be glty of ny ofnss afrsaid, as they will be ansrable fr the il consequences of thr nglet erin.

Gvn at or crt at lstr os, the thirty-first da of Octbr, one thousand seven hundred and sixty, and in the frst yr of or ran.

**GOD sav the KING.**

OF THE  
M E A N S  
OF  
PREVENTING OFFENCES.

Spelt as written in the Short-hand, Plates (10) and (11).



WE are now arivd at *the fifth gnrl brnch*, or ed, undr *which I prpsd to cnsdr the subject of ths bk of* or cmntrs; vidlst *the mns of prvnting the cmn of crms and msdmnrs. And rely it is an onr, and almst a sngr on, to or inglsh laws, that they frnsh a titl of ths srt: sns prvntive Jsts is, upon every prnspl of rsn, of umnity, and of snd plsy, prfrable in al rspcts to pnshing jsts; the xcsn of which, tho nssry, and in its*



*consequences a spess of mrcy to the cmnwltth, is awls atnded with mny arsh and dsgrable circumstances.*

*This prvntive jsts cnssts in obliging ths prsns, wth thr is probable grnd to sspect of futr msbaver, to stplat with and to gv fl asrns to the pblk, that sch ofns as is aprnded shall not apn, by finding plejs or scritys fr kping the pes, or fr thr good baver. This rqssn of srtis as been sverl tms mnsnd bfr, as prt of the pnltly infldt upon such as have been glty of srtin grs msdmnrs: but thr also it mst be understood rthr as a csn agnst the rptn of the ofns, thn ny imdat pan or pnshment. And inded if we cnsdr al umn pnshments in a lrg and xtnded vu we shall fnd thm al rthr clclatd to prvnt futr crms, thn to xpiat the pst: sns, as ws observed in a frmr chptr, al pnshments infldt by tmprl laws ma be clsd undr three eds: sch as tnd to the amndment of the ofndr himslf, or to dprv him of ny powr to do futr mschf, or to detr othrs by his xmpl: al of which endus to on and the sm nd, of prvnting futur erms, wthr that be efctd by amndment dsability, or xmpl. But the csn, which we spk of at prsnt, is sch as is intnded mrly fr prvnsn, withot ny crm actly cmitd by the prty, but arising only frm a probable sspsn that sm crm is intnded or lkly to apn; and consequently it is not mnt as ny dgre of pnshment, unls praps fr a mns mprdns, in gving jst grnd of aprnsn.*

*By the Saxn constttn ths srtis wr alws at hand, by mns of King Alfrds wis instttn of dsnsrs or frnk plejs: wrin, as as mr thn ons been observed, the wol nbrod or tithing of frmn wr mutl plejs fr ech othrs good baver. But ths grt and gnrl scrity being now fln into dsus and nglctd, thr hath suedd to it the mthod of mking sspctd prsns fnd particular and spsl scritys fr thr futr endct: of which we fnd mnsn in the laws of King Edward the Cnfsr, tradat fide jusrs de pase et legltate tuenda. Lt us thrfr cnsdr, frst, wt ths scrity is: nxt, wo ma tk or dmand it: and lstly, how it ma be dscharged.*

*Frst, ths scrity conssts in being hnd, with on or mr srtis, in a rensns or oblgsn to the King intrd on rcrd, and tkn in sm crt or by sm judsl ofsr; wrby the prts aknlg thmslvs to be indetd to the crn in the sm rqrd (fr instns a hundred pnd); with endsn to be vod and of non efct, if the prty shall apr in crt on sch a da, and in the men tm shall kp the ps: ithr gnrlly, towards the King, and al his lej people; or particularly also, with rgrd to the prsn wo cravs the scrity. Or, if it be fr the good baver, thn on endsn that he shall dmen and bav himslf wl (or be of good baver) ithr gnrlly or spsly, fr the tm thrin lmtd, as fr on or mr yrs, or fr lf. Ths rensns, if tkn by a jsts of the pes, mst be srtfid to the nxt ssns in prsns of the statute of the third of Nry the seventh, ch the*

#### 44      *Of the Means of preventing Offences.*

*first; and if the endsn of sch rensns be brkn by ny brch of the pes in the on cs, or ny msbaver in the othr, the rensns bcms frfild or abslut; and, being estretd or xtrctd (tkn ot frm among the othr rcrds) and snt up to the xchqr, the prty and his srtis, having now bcm the Kings abslut dtrs, are sud fr the sverl sms in which they are rspctively bad.*

*Second, ny jsts of the pes, by vertu of thr cmsn, or ths wo are ex ofso, cnsvtrs of the pes, as ws mnsnd in a frm vlm, ma dmand sch scrity accord- ing to thr on dscrn: or it ma be grntd at the rqst of ny subject, upon du cs shon, provided sch dmandant be undr the Kings prtzn; fr which rsn it hath been frmly doted wthr jus, pgns, or prsons cnvctd of a prmr, wr intitld thrt. Or, if the jsts is avers to act, it ma be grntd by a mndtry rit, eld a splcvt, isuing ot of the crt of kings bnch or chnsry: which will cmpl the jsts to act as a mnstrl and not as a judsl ofsr: and he mst mk a rtrn to such rit spsfying his cmplians, undr his hand and sel. But ths rit is sldm usd: fr, wn aplcsn is md to the sprr crts, they usly tk the rensnss thr, undr the drwns of the statute of the twenty-first of Jms the first, ch the eighth. And inded a per or peres cnot be bnd over in ny othr pls, thn the crts of kings bnch or chnsry: tho a jsts of the pes as a powr to rqr srtis of ny othr prsn, being cmps mnts and undr the dgre of nblty,*

wthr he be a flo jsts or othr mgstrt, or wthr he be mrlly a prvt mn. Wivs ma dmand it agnst thr usbands : or usbands, if nssry, agnst thr wivs. But fem coverts, and infnts undr ag, ot to find scrity by thr frnds only, and not to be bnd thmslvs: fr they are incpable of ingaging thmslvs to ansr ny det; which, as we observed, is the ntr of ths rensns or acknlgments.

*Third*, a rensns ma be discharged, ithr by the dms of the King, to wom the rensn is md; or by the deth of the prnspl prty bnd thrby, if not bfr frfd: or by order of the Crt to which sch rensns is srtfd by the jstss (as the qtr ssns, asiss, or kings bnch) if they see sfsnt cs: or in cs he at wos rqst it ws grntd, if grntd upon a prvt acnt, will rls it, or ds not mk his aprns to pra that it ma be cntnud.

This far wt as been said is aplcable to both spess of rensns, fr the pes, and fr the good baver; de pase, et legltate tuenda, as xprsd in the laws of King Edward. But as ths two spess of scritys are in sm rspcts dfrnt, espaly' as to the cs of grnting or the mns of frfing thm; I shall now cnsdr thm sprtly: and frst shall sho fr wt cs such a rensns, with srtis fr the pes, is grntable; and thn, how it ma be frfd.

Frst, ny jsts of the pes ma, ex ofso, bnd al ths to kp the pes, wo in his prsns mk ny afra; or thrtn to kl or bet anthr; or cntnd togthr with ot and angry

*words; or go about with unusl wepns or atndns, to the trr of the people; and al such as he nos to be cmn bratrs; and such as are brt bfr him by the cnstable fr a brch of the pes in his prsns; and al such prsns, as, having been bfr bnd to the pes, have brkn it and frftd thr rensnss. Also wrever ny prvt mn hath jst cs to fr, that anthr will brn his os, or do him a crprl injry kling, mprsning or beting him; or that he will prcr othrs so to do; he ma dmand srty of the pes agnst such prsn: and every jsts of the pes is bnd to grnt it, if he wo dmands it will mk oth, that he is actly undr fr of deth or bdly rm: and will sho that he as jst cs to be so, by rsn of the othrs mnass, atmts, or having lan in wat fr him; and will also fr/hr swr, that he ds not rqr such srty ot of mls or fr mr vxsn. Ths is eld swring the pes agnst anthr: and if the prty ds not fnd sch srtis, as the jsts in his dscrsn shall rqr, he ma imdtly be cmtd til he ds.*

*Second, such rensns fr kping the pes, wn gvn, ma be frftd by ny actl vilns, or even an aslt, or mnas to the prsn of him wo dmanded it, if it be a spsl rensns: or, if the rensns be gnrl by ny unlawful axn wtsever, that ithr is or tnds to a brch of the pes; or, mr particularly, by ny on of the mny spess of ofnss which wr mnsnd as crms agnst the pblk pes in the eleventh chptr of ths bk; or, by ny prvt vilns cmitd agnst ny of his majsts subjects. But a br trespass*

*upon the lands or goods of anthr, which is a grnd fr a sivil axn, unls acmpnd with a wfl brch of the pes, is no frstr of the rensns. Nthr are mer rprchfl words, as cling a mn nav, or lyr, ny brch of the pes, so as to frst ons rensns (being lokd upon to be mrly the eflt of unmnning et and psn) unls they amnt to a chlng to fit. The othr spess of rensns, with srtis, is fr the good abrn, or good baver. Ths inclds scrity fr the pes and smwat mr: we will thrfr xmn it in the sm mnr as the othr.*

*First, thn, the jstss are mpord by the statute thirty-fourth of Edward the Third, ch. 1, to bnd over to the good baver towards the King and his people, al thm that be not of good fam, wrever they be fnd; to the intnt that the people be not trbld nr indmagd, nr the pes dmnsd, nr mrchnts and othrs, psing by the high was of the rlm, be dstrbd nr pt in the prl which ma apn by sch ofndrs. Undr the gnrl words of ths xprsn, that be not of good fam, it is oldn that a mn ma be bnd to his good baver fr cs of sendl, cntra bons mors, as wl as cntra pasm, as fr anting bady oss with wmn of bad fam, or fr kping sch wmn in his on os; or fr words tndng to sendls the government, or in abus of the ofrs of jsts, espssly in the xcsn of thr ofs. Ths also a jsts ma bnd over al nit wlkrs; evs drprs; sch as kp sspss cmpny, or are rprtd to be plfrs or robbs; sch as slp in the*

da and wak in the nit; cmn drnkrd; ormstrs; the putative fathrs of bstrds; chets; idl vagbns; and othr prsns, wos msbaver ma rsnably bring thm wilhn the gnrl words of the statute, as prsns not of good fam an xprsn, it mst be ond, of so grt a lttud, as levs mch to be dtrmnd by the dscrn of the magstrt himself. But, if he cmits a mn fr wnt of srtis, he mst xprs the cs throf with cnvnt srtnty; and tk cr that sch cs be a good on.

*Second*, a rensns fr the good baver ma be frfd by al the sm mns, as on fr the scrity of the pes ma be; and also by sm othrs. As, by going rmd with unusl atndns, to the trr of the people; by spking words tnding to sedsn; or by cmting ny of the acts of msbaver, which the rensns ws intnded to prvnt. But not by brly gving frsh cs of sspsn of that which praps ma nver actly apn: fr, tho it is jst to compl sspctd prsns to giv scrity to the pblk agnst msbaver that is aprnded; yt it would be rd upon such sspsn, withot the prf of ny actl crm, to pnsh thm by a frfr of thr rensns.

*Mr. Justice BLACKSTONE'S Commentaries, vol. 4, c. 18.*

**HIS MAJESTY'S MOST GRACIOUS SPEECH****TO****BOTH HOUSES OF PARLIAMENT,****On Tuesday, the 18th Day of November, 1760.****My Lords and Gentlemen,**

**THE** just concern, which I have felt in my own breast on the sudden death of the late king, my royal grandfather, makes me not doubt but you must all have been deeply affected with so severe a loss. The present critical and difficult conjuncture has made this loss the more sensible, as he was the great support of that system, by which alone the liberties of Europe, and the weight and influence of these kingdoms, can be preserved; and gave life to the measures conducive to those important ends.

I need not tell you the addition of weight which immediately falls upon me, in being called to the government of this free and powerful country at such a time, and under such circumstances. My consolation is in the uprightness of my own intentions, your faithful and united assistance, and the blessing



of Heaven upon our joint endeavours, which I devoutly implore.

Born and educated in this country, I glory in the name of Briton; and the peculiar happiness of my life will ever consist in promoting the welfare of a people, whose loyalty and warm affection to me I consider as the greatest and most permanent security of my throne; and I doubt not, but their steadiness in those principles will equal the firmness of my invariable resolution to adhere to, and strengthen this excellent constitution in church and state; and to maintain the toleration inviolable. The civil and religious rights of my loving subjects are equally dear to me with the most valuable prerogatives of my crown; and, as the surest foundation of the whole, and the best means to draw down the divine favour on my reign, it is my fixed purpose to countenance and encourage the practice of true religion and virtue.

I reflect, with pleasure, on the successes with which the British arms have been prospered this last summer. The total reduction of the vast province of Canada, with the city of Montreal, is of the most interesting consequence, and must be as heavy a blow to my enemies, as it is a conquest glorious to us; the more glorious, because effected almost without effusion of blood, and with that humanity, which

makes an amiable part of the character of this nation.

Our advantages gained in the East Indies have been signal; and must greatly diminish the strength and trade of France in those parts, as well as procure the most solid benefits to the commerce and wealth of my subjects.

In Germany, where the whole French force has been employed, the combined army under the wise and able conduct of my general, Prince Ferdinand, of Brunswick, has not only stopt their progress, but has gained advantages over them, notwithstanding their boasted superiority, and their not having hitherto come to a general engagement.

My good brother and ally, the King of Prussia, although surrounded with numerous armies of enemies, has, with a magnanimity and perseverance almost beyond example, not only withstood their various attacks, but has obtained very considerable victories over them.

Of these events I shall say no more at this time, because the nature of the war in those parts has kept the campaign there still depending.

As my navy is the principal article of our natural strength, it gives me much satisfaction to receive it in such good condition; whilst the fleet of France is weakened to such a degree, that the small remains

of it have continued blocked up by my ships in their own ports; at the same time the French trade is reduced to the lowest ebb; and with joy of heart I see the commerce of my kingdoms, that great source of our riches, and fixed object of my never-failing care and protection, flourishing to an extent unknown in any former war.

The valour and intrepidity of my officers and forces, both by sea and land, have been distinguished so much to the glory of this nation, that I should be wanting in justice to them, if I did not acknowledge it. This is a merit which I shall constantly encourage and reward: and I take this occasion to declare, that the zealous and useful service of the militia, in the present arduous conjuncture, is very acceptable to me.

In this state I have found things at my accession to the throne of my ancestors; happy in viewing the prosperous part of it; happier still should I have been, had I found my kingdoms, whose true interest I have entirely at heart, in full peace: but, since the ambition, injurious encroachments, and dangerous designs of my enemies, rendered the war both just and necessary, and the generous overture, made last winter, towards a congress for a pacification, has not yet produced a suitable return, I am determined, with your cheerful and powerful assistance, to prose-

cute this war with vigour, in order to that desirable object, a safe and honourable peace. For this purpose, it is absolutely incumbent upon us to be early prepared; and I rely upon your zeal and hearty concurrence to support the King of Prussia, and the rest of my allies, and to make ample provision for carrying on the war, as the only means to bring our enemies to equitable terms of accommodation.

*Gentlemen of the House of Commons,*

The greatest uneasiness which I feel at this time, is in considering the uncommon burdens necessarily brought upon my faithful subjects. I desire only such supplies, as shall be requisite to prosecute the war with advantage; be adequate to the necessary services; and that they may be provided for in the most sure and effectual manner. You may depend upon the faithful and punctual application of what shall be granted. I have ordered the proper estimates for the ensuing year to be laid before you; and also an account of the extraordinary expenses, which, from the nature of the different and remote operations, have been unavoidably incurred.

It is with peculiar reluctance that I am obliged, at such a time, to mention anything which personally regards myself; but, as the grant of the greatest part

of the civil list revenues is now determined, I trust in your duty and affection to me, to make the proper provision for supporting my civil government with honour and dignity. On my part, you may be assured of a regular and becoming economy.

*My Lords and Gentlemen,*

The eyes of all Europe are upon you. From your resolutions the Protestant interest hopes for protection, as well as all our friends for the preservation of their independency; and our enemies fear the final disappointment of their ambitious and destructive views. Let these hopes and fears be confirmed and augmented by the vigour, unanimity, and dispatch of your proceedings.

In this expectation I am the more encouraged by a pleasing circumstance, which I look upon as one of the most auspicious omens of my reign. That happy extinction of divisions, and that union and good harmony which continue to prevail amongst my subjects, afford me the most agreeable prospect. The natural disposition and wish of my heart are, to cement and promote them; and I promise myself, that nothing will arise on your part, to interrupt or disturb a situation, so essential to the true and lasting felicity of this great people.

## HIS MAJESTY'S PROCLAMATION,

*For the Encouragement of Piety and Virtue,  
and for the preventing and punishing of Vice,  
Prophaneness, and Immorality.*



WE, most seriously and religiously considering, that it is an indispensable duty on us to be careful, above all other things, to preserve and advance the honour and service of Almighty God, and to discourage and suppress all vice, prophaneness, debauchery, and immorality, which are so highly displeasing to God, so great a reproach to our religion and government, and (by means of the frequent ill examples of the practices thereof) have so fatal a tendency to the corruption of many of our loving subjects, otherwise religiously and virtuously disposed, and which (if not timely remedied) may justly draw down the divine vengeance on us and our

kingdoms: we also humbly acknowledging that we cannot expect the blessing and goodness of Almighty God (by whom kings reign, and on which we entirely rely) to make our reign happy and prosperous to ourself and our people, without a religious observance of God's holy laws: to the intent, therefore, that religion, piety, and good manners, may (according to our most hearty desire) flourish and increase under our administration and government, we have thought fit, by the advice of our Privy Council, to issue this our royal proclamation; and do hereby declare our royal purpose and resolution, to discountenance and punish all manner of vice, prophaneness, and immorality, in all persons of whatsoever degree or quality within this our realm, and particularly in such as are employed near our royal person; and that, for the encouragement of religion and morality, we will, upon all occasions, distinguish persons of piety and virtue by marks of our royal favour. And we do expect and require that all persons of honour, or in places of authority, will give good example by their own virtue and piety, and, to their utmost, contribute to the discountenancing of persons of dissolute and debauched lives, that they, being reduced by that means to shame and contempt for their loose and evil actions and behaviour, may be thereby also enforced the sooner to

reform their ill habits and practices, and that the visible displeasure of good men towards them may (as far as it is possible) supply what the laws (probably) cannot altogether prevent. And we do hereby strictly enjoin and prohibit all our loving subjects of what degree or quality soever, from playing, on the Lord's day, at dice, cards, or any other game whatsoever, either in public or private houses, or other place or places whatsoever; and we do hereby require and command them, and every of them, decently and reverently to attend the worship of God on every Lord's day, on pain of our highest displeasure, and of being proceeded against with the utmost rigour that may be by law. And, for the more effectual reforming all such persons who, by reason of their dissolute lives and conversations, are a scandal to our kingdom, our further pleasure is, and we do hereby strictly charge and command all our judges, mayors, sheriffs, justices of the peace, and all other our officers and ministers, both ecclesiastical and civil, and all other our subjects, whom it may concern, to be very vigilant and strict in the discovery, and the effectual prosecution and punishment, of all persons who shall be guilty of excessive drinking, blasphemy, prophane swearing and cursing, lewdness, prophanation of the Lord's day, or other dissolute, immoral, or disorderly practices; and that



they take care also effectually to suppress all public gaming houses and places, and other lewd and disorderly houses, and to put in execution the statute, made in the twenty-ninth year of the reign of the late King Charles the Second, intituled, an Act for the better observation of the Lord's day, commonly called Sunday; and also an Act of Parliament, made in the ninth year of the reign of the late King William the Third, intituled, an Act for the more effectual suppressing of blasphemy and prophaneness, and all other laws now in force for the punishing and suppressing any of the vices aforesaid; and also to suppress and prevent all gaming whatsoever in public or private houses on the Lord's day; and likewise that they take effectual care to prevent all persons keeping taverns, chocolate-houses, coffee-houses, or other public houses whatsoever, from selling wine, chocolate, coffee, ale, beer, or other liquors, or receiving or permitting guests to be or remain in such their houses, in the time of divine service on the Lord's day, as they will answer it to Almighty God, and upon pain of our highest displeasure. And for the more effectual proceeding herein, we do hereby direct and command all our judges of assize and justices of the peace, to give strict charges at their respective assizes and sessions, for the due prosecution and punishment of all persons that shall

presume to offend in any of the kinds aforesaid, and also of all persons that, contrary to their duty, shall be remiss or negligent in putting the said laws in execution; and that they do, at their respective assizes and quarter sessions of the peace, cause this our royal proclamation to be publicly read in open court immediately before the charge is given. And we do hereby further charge and command every minister, in his respective parish church or chapel, to read, or cause to be read, this our proclamation at least four times in every year, immediately after divine service, and to incite and stir up their respective auditories to the practice of piety and virtue, and the avoiding of all immorality and prophaneness. And to the end that all vice and debauchery may be prevented, and religion and virtue practised by all officers, private soldiers, marines, and others, who are employed in our service by sea and land, we do hereby strictly charge and command all our commanders and officers whatsoever, that they do take care to avoid all prophaneness, debauchery, and other immoralities; and that by their own good and virtuous lives and conversations, they do set good examples to all such as are under their care and authority, and likewise take care of, and inspect, the behaviour of all such as are under them, and punish all those who shall be guilty of any of the

offences aforesaid, as they will be answerable for the ill consequences of their neglect herein.

Given at our Court at Leicester-House, the thirty-first day of October, one thousand seven hundred and sixty, in the first year of our reign.

**GOD SAVE THE KING.**

OF THE  
M E A N S  
OF  
PREVENTING OFFENCES.

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WE are now arrived at the fifth general branch or head, under which I propose to consider the subject of this book of our commentaries; viz. the means of preventing the commission of crimes and misdemeanours. And really it is an honour, and almost a singular one, to our English laws, that they furnish a title of this sort; since preventive justice is, upon every principle of reason, of humanity, and of sound policy, preferable in all respects to punishing justice; the execution of which, though necessary, and in its consequences a species of mercy to the commonwealth, is always attended with many harsh and disagreeable circumstances.

This preventive justice consists in obliging those persons, whom there is probable ground to suspect of future misbehaviour, to stipulate with and give full assurance to the public, that such offence as is apprehended shall not happen; by finding pledges or securities for keeping the peace, or for their good behaviour. This requisition of sureties has been several times mentioned before, as part of the penalty inflicted upon such as have been guilty of certain gross misdemeanours; but there also it must be understood rather as a caution against the repetition of the offence, than any immediate pain or punishment. And indeed, if we consider all human punishments, in a large and extended view, we shall find them all rather calculated to prevent future crimes, than to expiate the past; since, as was observed in a former chapter, all punishments inflicted by temporal laws may be classed under three heads; such as tend to the amendment of the offender himself, or to deprive him of any power to do future mischief, or to deter others by his example: all of which conduce to one and the same end, of preventing future crimes, whether that be effected by amendment, disability, or example. But the caution which we speak of at present, is such as is intended merely for prevention, without any crime actually committed by the party, but arising only from a probable

suspicion, that some crime is intended or likely to happen; and consequently it is not meant as any degree of punishment, unless perhaps for a man's imprudence in giving just ground of apprehension.

By the Saxon constitution these sureties were always at hand, by means of King Alfred's wise institution of decennaries or frankpledges; wherein, as has more than once been observed, the whole neighbourhood or tithing of freemen were mutually pledges for each other's good behaviour. But this great and general security being now fallen into disuse and neglected, there hath succeeded to it the method of making suspected persons find particular and special securities for their future conduct; of which we find mention in the laws of King Edward the Confessor; "*tradat fide jussores de pace et legalitate tuenda.*" Let us therefore consider, first, what this security is; next, who may take or demand it; and lastly, how it may be discharged.

1. This security consists in being bound, with one or more sureties, in a recognizance or obligation to the king, entered on record, and taken in some Court or by some judicial officer; whereby the parties acknowledge themselves to be indebted to the crown in the sum required (for instance £100.); with condition to be void and of none effect, if the party should appear in Court on such a day, and in the

meantime shall keep the peace; either generally, towards the king, and all his liege people, or particularly also, with regard to the person who craves the security. Or, if it be for the good behaviour, then on condition that he shall demean and behave himself well, (or be of good behaviour, either generally or specially, for the time therein limited,) as for one or more years, or for life. This recognizance, if taken by a justice of the peace, must be certified to the next sessions in pursuance of the statute 3 Hen. VII. c. 1; and if the condition of such recognizance be broken, by any breach of the peace in the one case, or any misbehaviour in the other, the recognizance becomes forfeited or absolute; and, being *estreated* or extracted, (taken out from among the other records) and sent up to the exchequer, the party and his sureties, having now become the king's absolute debtors, are sued for the several sums in which they are respectively bound.

2. Any justice of the peace, by virtue of their commission, or those who are *ex officio* conservators of the peace, as were mentioned in a former volume, may demand such security according to their own discretion: or it may be granted at the request of any subject, upon due cause shown, provided such demandant be under the king's protection; for which reason it hath been formerly doubted whether jews,

pagans, or persons convicted of a *præmunire*, were intitled thereto. Or, if the Justice is averse to act, it may be granted by a mandatory writ, called a *supplicavit*, issuing out of the Court of King's Bench, or Chancery; which will compel the Justice to act, as a ministerial, and not as a judicial officer: and he must make a return to such writ, specifying his compliance, under his hand and seal. But this writ is seldom used: for, when application is made to the superior courts, they usually take the recognizances there, under the directions of the statute 21 Jac. 1, c. 8. And indeed a peer or peeress cannot be bound over in any other place than the Courts of King's Bench or Chancery: though a Justice of the Peace has a power to require sureties of any other person, being *compos mentis* and under the degree of nobility, whether he be a fellow justice or other magistrate, or whether he be merely a private man. Wives may demand it against their husbands, or husbands, if necessary, against their wives. But femme-coverts, and infants under age, ought to find security by their friends only, and not to be bound themselves: for they are incapable of engaging themselves to answer any debt; which, as we observed, is the nature of these recognizances or acknowledgments.

3. A recognizance may be discharged, either by the demise of the King, to whom the recognizance is



made; or by the death of the principal party bound thereby, if not before forfeited; or by order of the court to which such recognizance is certified by the justices (as the quarter sessions, assizes, or king's bench) if they see sufficient cause: or in case he at whose request it was granted, if granted upon a private account, will release it, or does not make his appearance to pray that it may be continued.

Thus far what has been said is applicable to both species of recognizances, for the *peace*, and for the *good behaviour*; *de pace, et legalitate, tuenda*, as expressed in the laws of King Edward. But as these two species of securities are in some respects different, especially as to the cause of granting, or the means of forfeiting them, I shall now consider them separately: and first, shall shew for what cause such a recognizance, with sureties for the *peace*, is grantable; and then, how it may be forfeited.

1. Any justice of the peace may, *ex officio*, bind all those to keep the peace, who in his presence make any affray; or threaten to kill or beat another; or contend together with hot and angry words; or go about with unusual weapons or attendance, to the terror of the people; and all such as he knows to be common barretors; and such as are brought before him by the constable for a breach of the peace in his presence; and all such persons as,

having been before bound to the peace, have broken it and forfeited their recognizances. Also, wherever any private man has just cause to fear, that another will burn his house, or do him a corporal injury, by killing, imprisoning, or beating him; or that he will procure others so to do; he may demand surety of the peace against such person: and every justice of the peace is bound to grant it, if he who demands it will make oath, that he is actually under fear of death or bodily harm; and will shew that he has just cause to be so, by reason of the other's menaces, attempts, or having lain in wait for him; and will also further swear that he does not require such surety out of malice or for mere vexation. This is called *swearing the peace* against another: and, if the party does not find such sureties as the justice in his discretion shall require, he may immediately be committed till he does.

2. Such recognizance for keeping the peace, when given, may be forfeited by any actual violence, or even an assault, or menace, to the person of him who demanded it; if it be a special recognizance: or, if the recognizance be general, by any unlawful action whatsoever, that either is, or tends to a breach of the peace; or, more particularly, by any one of the many species of offences which were mentioned as crimes against the public peace in the eleventh

chapter of this book; or, by any private violence committed against any of His Majesty's subjects. But a bare trespass upon the lands or goods of another, which is a ground for a civil action, unless accompanied with a wilful breach of the peace, is no forfeiture of the recognizance. Neither are mere reproachful words, as calling a man knave or liar, any breach of the peace, so as to forfeit one's recognizance (being looked upon to be merely the effect of unmeaning heat and passion) unless they amount to a challenge to fight.

The other species of recognizance, with sureties, is for the *good abearance*, or *good behaviour*. This includes security for the peace, and somewhat more: we will therefore examine it in the same manner as the other.

1. Then, the justices are empowered by the stat. 34 Edward III. c. 1. to bind over to the good behaviour towards the King and his people, all them *that be not of good fame*, wherever they be found; to the intent that the people be not troubled nor endamaged, nor the peace diminished, nor merchants and others, passing by the highways of the realm, be disturbed, nor put in the peril which may happen by such offenders. Under the general words of this expression, *that be not of good fame*, it is holden that a man may be bound to his good behaviour for

causes of scandal, *contra bonos mores* as well as *contra pacem*; as for haunting bawdy-houses with women of bad fame; or for keeping such women in his own house; or for words tending to scandalise the government, or in abuse of the officers of justice, especially in the execution of their office. Thus also a justice may bind over all night-walkers, eaves-droppers; such as keep suspicious company, or are reported to be pilferers or robbers; such as sleep in the day and wake in the night; common drunkards; whore-masters; the putative fathers of bastards; cheats, idle vagabonds, and other persons whose misbehaviour may reasonably bring them within the general words of the statute, as persons not of good fame: an expression it must be owned, of so great a latitude, as leaves much to be determined by the discretion of the magistrate himself. But, if he commits a man for want of sureties, he must express the cause thereof with convenient certainty; and take care that such cause be a good one.

2. A recognizance for the good behaviour may be forfeited by all the same means, as one for the security of the peace may be; and also by some others. As, by going armed with unusual attendance, to the terror of the people; by speaking words tending to sedition; or by committing any of those acts of misbehaviour, which the recognizance was

intended to prevent. But not by barely giving fresh cause of suspicion of that which perhaps may never actually happen; for though it is just to compel suspected persons to give security to the public against misbehaviour that is apprehended; yet it would be hard, upon such suspicion, without the proof of any actual crime, to punish them by a forfeiture of their recognizance.

*Mr. Justice BLACKSTONE'S Commentaries*, vol. 4,  
c. 18.

THE END.

CATALOGUE  
OF  
**Law Works**  
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TO THE QUEEN'S MOST EXCELLENT MAJESTY,  
AND TO  
H. R. H. THE PRINCE OF WALES.

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*"Now for the Laws of England (if I shall speak my opinion of them without partiality either to my profession or country), for the matter and nature of them, I hold them wise, just and moderate laws: they give to God, they give to Casar, they give to the subject what appertaineth. It is true they are as mist as our language, compounded of British, Saxon, Danish, Norman customs. And surely as our language is thereby so much the richer, so our laws are like-wise by that mixture the more complete."—LORD BACON.*

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LONDON:  
**7, FLEET STREET, E. C.**  
1870.

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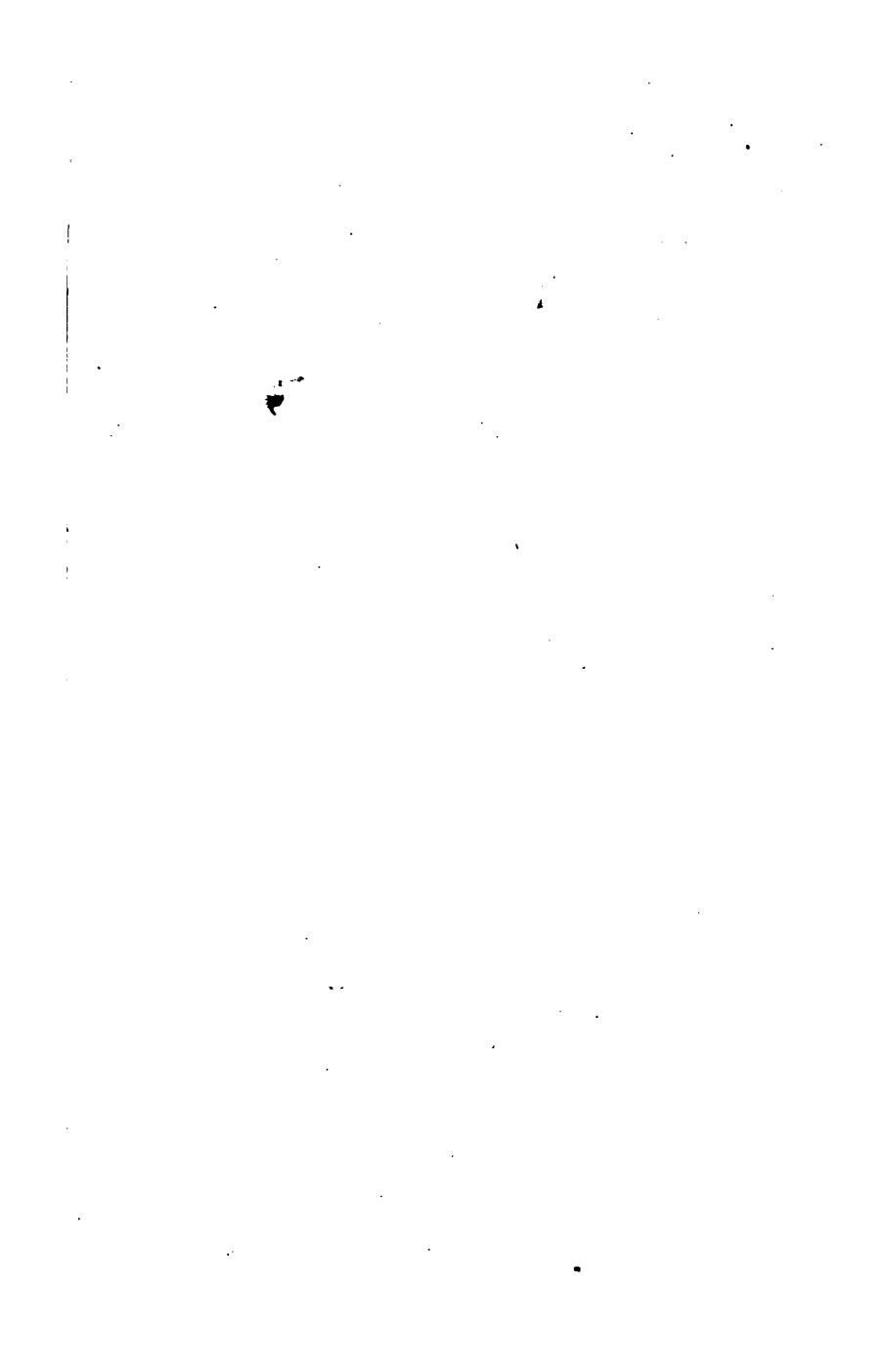
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